

AMENDMENTS TO THE CLAIMS

Listing of Claims:

1-8. (Cancelled)

9. (Currently amended) A termite deterrent cap in combination with a pier structure, comprising:

a cement pier having a top end with exterior walls, said pier including a rod having a lower section centrally embedded in the pier and an upper threaded section extending beyond the top end of the pier adapted for connection to a supported timber structure;

a plastic cap ~~having~~ consisting essentially of a topside with a center aperture, a periphery and sidewalls having an inside surface and extending downward at an outward angle from the periphery of the cap, said cap being configured and dimensioned to cover the top end of said pier with said rod extending through the center aperture, such that the inside surface of the sidewalls does not contact the exterior walls of said pier.

10. (Previously presented) The combination of claim 9, wherein the periphery and the sidewalls of said cap come together to form a chamfered outer edge.

11. (Previously presented) The combination of claim 9, wherein said cap and said pier have a generally circular configuration.

12. (Withdrawn) The combination of claim 9, wherein said cap and said pier have a generally square configuration.

13. (Previously presented) The combination of claim 9, wherein said cap is made of polyethylene.

14. (Previously presented) The combination of claim 9, wherein the sidewalls of said cap have a height of about 3 inches.

15. (New) The combination of claim 9, wherein the topside of the cap is substantially flat.

16. (New) The combination of claim 9, additionally comprising caulking or asphalt positioned between the pier and the plastic cap.

17. (New) A termite deterrent cap, consisting essentially of:

a flat platform structure, having a top surface, a bottom surface and a peripheral edge;

one or more sidewalls attached to the peripheral edge of the platform structure and extending downward at an outward angle from the peripheral edge of the platform structure;

wherein the cap is adapted to be placed on a post and wherein the cap is dimensioned to cover a top end of the post, such that there is no contact between any inside surface of the sidewalls and the exterior walls of the post.

18. (New) The termite deterrent cap of claim 17, wherein a portion of the flat platform structure is scored to allow removal of a part of the flat platform structure and to accommodate a rod extending from a top surface of the post.

19. (New) The termite deterrent cap of claim 17, wherein the peripheral edge and the sidewalls of said cap adjoin to form a chamfered outer edge.

20. (New) The termite deterrent cap of claim 17, wherein the cap has a generally circular configuration, adapted to be positioned on a generally cylindrical post.

21. (New, withdrawn) The termite deterrent cap of claim 17, wherein the cap has a generally square configuration, adapted to be positioned on a generally rectangular post.

22. (New) The termite deterrent cap of claim 17, wherein said cap is made of polyethylene.

23. (New) The termite deterrent cap of claim 17, wherein the sidewalls of said cap have a height of about 3 inches.

24. (New) A method of inhibiting termites from damaging a wood structure, the method comprising:

positioning a cap on a post, wherein the post is generally in a vertical position and the cap consists essentially of a flat platform structure having a top surface, a bottom surface and a peripheral edge, and one or more sidewalls attached to the peripheral edge of the platform structure extending downward at an outward angle from the peripheral edge of the platform structure; and wherein the cap is dimensioned to cover the top end of the post, such that there is no contact between any inside surface of the sidewalls and the exterior walls of the post.

25. (New) The method of claim 24, wherein the cap additionally comprises an aperture in the flat platform structure, wherein the aperture is adapted to accommodate a rod extending from the post.

26. (New) The method of claim 25, wherein the cap is additionally adapted to act as a surface on which a bottom plate rests.

27. (New) The method of claim 24, wherein the cap has a generally circular configuration and is adapted to be positioned on a generally cylindrical post.

28. (New, withdrawn) The method of claim 24, wherein the cap has a generally square configuration, and is adapted to be positioned on a generally rectangular post.